

## SECOND AMENDED

NO. 54891

### APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAY 31 1990  
Returned to applicant for correction JUL 19 1990  
Corrected application filed OCT 01 1990  
Map filed OCT 01 1990 under 54874

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The applicant **McGill-Ruth Consolidated Sewer & General Improvement District**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Underground Well No. 1**
2. The amount of water applied for is **0.5 cfs second-feet**
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Municipal and Domestic**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **in the SW ¼ SW ¼ of Section 21, T.16N., R.63E., M.D.B.&M., whence the Northeast Corner of said Section 21 bears N. 46° 12' 49" E., 6,520.73 feet distant.**
6. Place of Use **All of T.16N., Rs. 62 and 63 E., M.D.B.&M.; the W ½ of T.16N., R.64E., M.D.B.&M.; Sections 1, 2, 11, 12, 13, 14 and the S ½ of T.17N., R.62E., M.D.B.&M.; All of T.17N., R.63E., M.D.B.&M.; the W ½ of T.17N., R.64E., M.D.B.&M.; the E 1/3 of T.18N., R.63E., M.D.B.&M.; Section 2 and the W 2/3 of T.18N., R.64E., M.D.B.&M.**
7. Use will begin about **January 1<sup>st</sup>** and end about **December 31<sup>st</sup>** of each year.
8. Description of proposed works **The water will be diverted through a municipal distribution system throughout the proposed place of use.**
9. Estimated cost of works **\$2,500,000.00**
10. Estimated time required to construct works **20 years**
11. Estimated time required to complete the application of water to beneficial use **25 years**

12. Remarks: This application will be used to supply future municipal water within the proposed place of use at an annual consumptive rate of 225 g.p.m., 24 hours per day, 365 days per year for a total of 118 million gallons.

By **s/Richard W. Forman**  
**Richard W. Forman Agent**  
**P.O. Box 150**  
**Ely, Nevada 89301**

Compared my/cmf hs/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 45166, Certificate 13437; 45168, Certificate 13438; 45169, Certificate 13439; 45170, Certificate 13440; 45642, Certificate 13442; 51397, Certificate 13860; 54874, 54875, 54891, and 60665 shall not exceed 3,164.55 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water used.

(CONTINUED ON PAGE 3)